

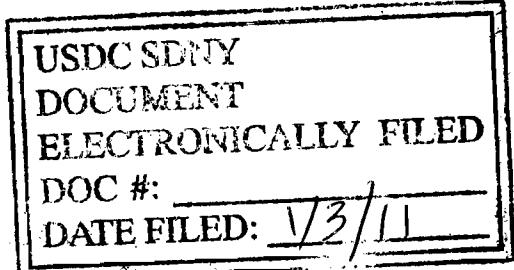
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January 3, 2011

Via Electronic Transmission
The Hon. Alvin K. Hellerstein
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street, Room 1050
New York, New York 10007-1312



Re: In re: World Trade Center Disaster Site Litigation
21 MC 100 (AKH)

Dear Judge Hellerstein:

We write in response to this Court's Order Dismissing Cases With Prejudice For Failure to Prosecute dated December 30, 2010 ("Order"). The Exhibit to the Order includes the following plaintiffs that have recently opted in to the World Trade Center Settlement Process Agreement, As Amended ("SPA"):

- Wilfredo Torres (06CV12579)
- Gregory Harris (05CV1434)
- Peter Garabedian (06CV10318)
- Diego Diaz (07CV09089)
- Joseph Audino (06CV9965)
- Sonia Tello (08CV5947)
- Patrick O Connor (07CV10194)
- Solomon Mitchell (06CV14883)
- Herman Robinson (06CV10460)

As a result of the above, we respectfully request the Court to reinstate these cases.

As always, we are available to discuss these matters at Your Honor's convenience.

The application is denied, without prejudice to a motion to reinstate. Supporting affidavits must show, for each plaintiff:

- A. Timely executed and delivered settlement papers, or*
- B. Timely ~~and~~ demands, written and in good faith, to coordinate with the case or*
- C. Timely instructions to counsel to dismiss the case, certifying prejudice.*

1/3/11 Alvin K. Hellerstein

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Respectfully submitted,

WORBY GRONER EDELMAN & NAPOLI BERN, LLP



Christopher LoPalo

cc:

Special Master Twerski
Special Master Henderson
Margaret Warner, Esq.
James E. Tyrrell, Jr., Esq.
Michael Hoenig, Esq.

Judge wrote:

“The application is denied, without prejudice to a motion to reinstate. Supporting affidavits must show, for each plaintiff:

- A. Timely executed and delivered settlement papers, or
- B. Timely decisions, written and in good faith, to continue with the case, or
- C. Timely instructions to counsel to dismiss the case, with prejudice.

1/3/11

Alvin K. Hellerstein”